

TENTATIVE PARCEL MAP No. 16511
Conditions of Approval

ON-GOING CONDITIONS/GENERAL REQUIREMENTS

LAND USE SERVICES DEPARTMENT/CURRENT PLANNING DIVISION (909) 387-4115

1. This Tentative Parcel Map Conditional Approval shall become null and void unless all conditions have been complied with for recordation of the Parcel Map within thirty-six (36) months after the approval of said Tentative Parcel Map. Where circumstances beyond the control of the applicant cause delays which do not permit compliance with the time limitation established in this section, the Planning Division may grant an extension of time for a period not to exceed an additional thirty-six (36) months. Applications for such extension of time must set forth in writing the reasons for the extension and shall be filed together with a fee, as established by the Board of Supervisors, with the Planning Division thirty (30) calendar days before the expiration of the Tentative Parcel Map. The applicant will be responsible for initiating any extension request.
2. The applicant shall ascertain and comply with the requirements of all state, county and local agencies as are applicable to the project areas. They include, but are not limited to, County Departments of Environmental Health Services, Public Works Department, County Division of Building and Safety, The Monte Vista Water District, the Montclair Fire Department, and the State Fire Marshall.
3. In compliance with San Bernardino County Development Code Section 81.0150, the applicant shall agree to defend at his sole expense any action brought against the County, its agents, officers or employees, because of the issuance of such approval or, in the alternative, to relinquish such approval. The applicant shall reimburse the County, its agents, officers or employees, for any court costs and attorney's fees which the County, its agents, officers or employees may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of his obligations under this condition.
4. This Tentative Parcel Map is being conditionally approved to create four (4) parcels on approximately 1.05 acres. The approval includes a variance to allow a 7'5' decorative masonry block wall with 8' high intermediate columns along the Vernon Avenue side of Parcel 2, in lieu of the 4-foot high wall allowed in the RS Land Use District; to permit the wall along the Vernon Avenue side yard of Parcel 2 to be setback 8 feet from the ultimate right-of-way instead of the 15 feet required by Code; and to permit a 7'5" block wall along the west property line in lieu of the 6-foot high wall permitted by Code.

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5. Maintenance of the landscape areas in front yards and street side yards shall be the responsibility of the developer until the respective residences become occupied, at which time, the responsibility for maintenance shall transfer to the respective property owners.
6. **The applicant/developer/general contractor is responsible for reasonable periodic clean up of the construction site to avoid hazardous accumulation of combustible trash and debris.**

***PRIOR TO RECORDATION OF THE FINAL MAP,
THE FOLLOWING CONDITIONS MUST BE MET***

DEPARTMENT/DIVISION OF BUILDING AND SAFETY (909) 387-4246

7. Engineering Geology Report. A note shall be placed on the Composite Development Plan that an Engineering Geology Report, prepared by Christopher Krall, Certified Engineering Geologist for RGS Engineering Geology, dated November 10, 2003, was approved by the County Geologist on November 18, 2003.

PUBLIC HEALTH /DIVISION OF ENVIRONMENTAL HEALTH SERVICES (909) 387-4666

8. The water purveyor shall be the Monte Vista Water District.
9. This parcel is in Improvement Level 1. The applicant shall submit evidence of service or contractual arrangements for water improvements to DEHS prior to recordation. Applicant shall procure a verification letter from the Monte Vista Water District. This letter shall state whether or not the Water Company shall make water connection and service available to the project. This letter shall reference Parcel Map Number 16511 and Assessor's Parcel Number (1011-451-02). A note shall be placed on the Composite Development Plan (CDP) stating "Proof of installation of water improvements shall be provided prior to the issuance of building permits."
10. Method of sewage disposal shall be via the City of Montclair.
11. Applicant shall procure a verification letter from the City of Montclair. This letter shall state whether or not the City shall make sewer connection and service available to the project. This letter shall reference Parcel Map Number 16511 and Assessor's Parcel Number (1011-451-02).
12. The applicant shall submit verification of annexation for any project that requires water or sewer connection outside a purveyor's jurisdiction. For information, contact LAFCO at (909) 387-5866.

PUBLIC WORKS DEPARTMENT/COUNTY SURVEYOR'S OFFICE (909) 387-8162

13. A parcel map is required with all appropriate easements to be dedicated (or offered for dedication in the case of drainage easements) in accordance with the provisions of the Subdivision Map Act and the San Bernardino County Development Code.
14. Subdivider shall present evidence to the County Surveyor's Office that he has tried to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.
15. Easements of record not shown on the tentative map shall be relinquished or relocated. Lots affected by proposed easements or easements of record that cannot be relinquished or relocated, shall be redesigned.

PUBLIC WORKS /LAND DEVELOPMENT DIVISION ROADS (909) 387-8218

16. The applicant shall submit engineered road improvement plans to the San Bernardino County Department of Public Works, 825 E. Third Street, Room 142, San Bernardino, CA 92415-0835 (909) 387-8218. The plans shall include the following information:

Vernon Avenue

- An additional three (3) feet of dedication, to equal a 33-foot half-width right-of-way. A copy of the Grant Deed for all properties affected by this requirement must be submitted to the Public Works Department.
- Curb and gutter with match-up paving 22 feet from centerline.
- Sidewalk to match the existing sidewalk to the north.
- Driveway approach/entrance per County Standards.
- Sidewalk ramp at curb return.

Howard Street

- An additional thirteen (13) feet of dedication, to equal a 33-foot half-width right-

- Curb and gutter with match-up paving 22 feet from centerline.
- Sidewalk to of-way. A copy of the Grant Deed for all properties affected by this requirement must be submitted to the Public Works Department.
- County Standards
- Driveway approach/entrances per County Standards.

PUBLIC WORKS LAND DEVELOPMENT DRAINAGE REVIEW (909) 387-8218

17. A hydrology report, reviewed and approved by the Department of Public Works/Land Development, shall be completed prior to recordation of the final map.

LAND USE SERVICES/CURRENT PLANNING DIVISION (909) 387-4115

18. The Board of Supervisors shall adopt General Plan Land Use District Amendment W54-111/2004 from RS-20M to RS prior to recordation of the final map.
19. All parcels shall have a minimum lot area of 10,000 square feet.
20. **The applicant shall execute an Irrevocable Annexation Agreement with the City of Montclair that will allow connection to the City's sanitary sewer system. Buyers of the new dwellings shall be advised in writing of said agreement and of the City's intent to annex this site at a future date.**
21. **A Disclosure Statement shall be submitted to the County's Current Planning Division stating that prospective property owners shall be notified in writing, and a copy provided to the County Planning Division, that the location of the animal enclosures on Assessor Parcel Number 1011-451-03 constitute a legal, non-conforming use. Future property owners shall not be permitted to place any habitable structures in the rear yards of Parcels 3 and/or 4 until such time as large, domesticated animals are no longer kept on that adjacent parcel and the non-conforming use has ended.**
22. **The applicant shall submit a copy of the Landscape and Irrigation Plan to the Montclair City Planner for review and approval.**
23. **Three (3) copies of a landscape and irrigation plan acceptable to the City of Montclair shall be submitted to the Current Planning Division for review and approval. The Landscaping and Irrigation Plan shall provide for the following:**

- **Landscaping and automatic irrigation within the front yard of each parcel, and within the side yard of parcel 2 on the street side of the masonry wall along Vernon Avenue. Landscaping shall consist of sod turf, a variety of shrubs, at least one 15-gallon container size accent tree, and two (2) street trees as follows:**
- **Vernon Avenue – Magnolia grandiflora (Southern Magnolia), 30 feet on center**
- **Howard Street – Geijera parviflora (Australian Willow), 30 feet on center.**
- **The following required walls and fences shall be shown, and side elevations provided with dimensions and materials to be used:**

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A decorative masonry wall is required, 7'5" in height, set back 8'0" from the ultimate right-of-way, along the Vernon Avenue frontage of Parcel 2. Said wall shall commence at the front yard setback line and continue to the parcel's northerly property line. The wall shall be split-face masonry (or equivalent incorporated into said wall 30 feet on center. It shall be stepped down to a four (4) foot high wall in the front setback of Parcel 2 and taper to 6 feet in height where it joins the side yard wall of Parcel 3.

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A precision block masonry wall is required, 7'5" in height, along the rear front yard setback line, and shall be 4 feet in height on the interior side property lines within the front yard setback line.

- **Should the applicant wish to construct masonry walls or fences within the front yard setbacks of any or all of the four parcels, such walls and fences shall not exceed 42 inches in height as measured from adjacent grade. Chainlink fencing is expressly prohibited in front yards and as interior side yard fencing.**

NOTE: Street trees shall be minimum 24-inch box size and double-staked per County standards.

24. A Composite Development Plan (CDP), complying with Sections 83.040501 and 83.040515 of the County Development Code, shall be approved by the Public Works Department/Surveyor Division and filed with Building and Safety. The following items shall be delineated/noted on the Composite Development Plan:

Building setbacks shall be delineated on the Composite Development Plan as follows:

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Front yard setback – 25 feet
Street side yard (Parcel 2) – 8 feet

Interior side yards – 5 feet on one side and 12 feet on the opposite side
Rear yard setback – 15 feet to the first story, 20 feet to the second story

The following notes shall be placed on the Composite Development plan (CDP), in accordance with Development Code Section 83.040505(2) involving any related reports regarding development criteria, including the following information:

- Title and date of the report.
- Name and credentials of person or firm preparing report.
- The location where the reports are on file.
- Required notes mandated by other departments, as follows:

An Engineering Geology Report, prepared by Christopher Krall, Certified Engineering Geologist for RGS Engineering Geology, dated November 10, 2003, was approved by the County Geologist on November 18, 2003, and is on file with the County Building and Safety Division.

***PRIOR TO LAND DISTURBANCE OR ISSUANCE OF GRADING PERMITS,
THE FOLLOWING CONDITIONS MUST BE MET***

LAND USE SERVICES/BUILDING AND SAFETY DIVISION (909) 387-4246

25. Demolition permits shall be obtained for any building(s) and/or structures to be demolished. Underground structures must be broken in, back-filled and inspected before covering.
26. If grading exceeds 50 cubic yards, grading plans shall be required.

***PRIOR TO ISSUANCE OF BUILDING PERMITS,
THE FOLLOWING CONDITIONS MUST BE MET***

LAND USE SERVICES/BUILDING AND SAFETY DIVISION (909) 387-4246

27. Prior to issuance of building permits, erosion control devices must be installed at all perimeter openings and slopes. No sediment is to leave the job site.
28. The developer shall submit professionally prepared plans for approval and obtain permits prior to any construction.

PUBLIC HEALTH/ ENVIRONMENTAL HEALTH SERVICES DIVISION (909) 387-4666

29. The applicant shall submit preliminary acoustical information demonstrating that the proposed project maintains noise levels at or below San Bernardino County Noise Standards per San

Bernardino County Development Code, Section 87.0905(b). The purpose is to evaluate potential future on-site and/or adjacent off-site noise sources. If the preliminary information cannot demonstrate compliance with noise standards, a project specific acoustical analysis shall be required. Submit information/analysis to the Division of Environmental Health Services (DEHS) for review and approval. For information and acoustical checklist, contact DEHS at (909) 387-4655.

CITY OF MONTCLAIR FIRE DEPARTMENT (909) 626-1217

30. The above referenced project is protected by the Montclair Fire Department. Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the existing Uniform Fire Code requirements and all applicable statutes, codes, ordinances or standards regarding fire safety as adopted by the County of San Bernardino or State of California.
31. Prior to the issuance of building permits, the applicant shall:
32. Submit four (4) complete sets of plans for an approved, automatic fire sprinkler system for each residence, to the Fire Marshall's office for review and approval, including two (2) sets to be microfilmed/digitally imaged. The system shall conform to national standards. The system shall be equipped to an UL-listed monitoring station in the event of a water flow or tampering.
33. Pay all required Montclair Fire Department fees.
34. Pay all required school fees directly to the Ontario-Montclair School District and the Chaffey Joint Union High School District.
35. **A 20-foot wide, unobstructed roadway capable of supporting firefighting apparatus shall be maintained within 150 feet of all structures prior to, and for the duration of construction. The roadway is subject to Fire Department approval prior to commencement of construction.**
36. A fire hydrant system shall be required to provide the necessary water flow to the proposed subdivision. The exact number, location and design of hydrants shall be determined by the Fire Marshall's Office when building plans are submitted. Hydrants shall be active prior to the framing stage of construction.

PUBLIC WORKS /LAND DEVELOPMENT DIVISION ROADS (909) 387-8218

37. Right-of-way and improvements (including off-site) shall transition traffic and drainage flows from proposed to existing, as necessary.

Environmental Mitigation Measures are italicized.

Non-Standard conditions are bolded.

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38. **The maximum width of driveway approaches shall be 18'0" with maximum 4-foot "X's (wings). Top of "X"s shall be a minimum of 5'0" from property lines. Driveway width shall match the width of the drive approach at the front property line, and may flare to provide access to three-car garages. Public sidewalk width shall be to the satisfaction of the County of San Bernardino Public Works Department, and shall have a maximum cross-slope of 2%, be fully disabled-accessible and shall pass behind driveway approaches.**

SPECIAL DISTRICTS DEPARTMENT (909) 387-9612

39. Any street lighting plans and plan check fees must be submitted for approval to Gale Glenn, Special Districts department, 157 West 5th Street, 2nd Floor, San Bernardino, CA 92415-0450. For additional information, please contact Gale Glenn at (909) 387-9612. NOTE: If no street lighting plans exist, no submittal is required.

***PRIOR TO OCCUPANCY,
THE FOLLOWING CONDITIONS MUST BE MET***

CITY OF MONTCLAIR FIRE DEPARTMENT (909) 626-1217

40. The address of each new residence shall be displayed in minimum four-inch (4") tall numerals on a contrasting background and backlit with a low-voltage illumination source. Said identification shall be installed in a consistent location on each residence.
41. A Certificate of Occupancy is required for each residence prior to occupancy. Issuance of a Certificate of Occupancy shall be contingent upon Fire Department inspection and approval of all conditions.

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42. **No mechanical equipment (such as air conditioners, evaporative coolers, etc.) shall be installed on the roof of any residence, other than typical vent pipes or louvers.**
43. All utility connections to the new dwellings shall be underground.

44. Prior to issuance of the first Certificate of Occupancy, the applicant shall complete the following improvements to the satisfaction of the County of San Bernardino:
45. Construct all approved improvements along the street frontages of the project site, including but not limited to, relocation or removal of utility poles and overhead lines along Howard Street, construction of P.C.C. curb, gutter and sidewalk, asphalt concrete (AC) pavement and AC flow line transition west from the westerly tract boundary to a point satisfactory to the County of San Bernardino.
46. Install concrete standard streetlights along the street frontages of the project site in a quantity and spacing to the satisfaction of the County of San Bernardino.
47. Connect all new dwellings to the City of Montclair sanitary sewer system and obtain a final approval from the City of Montclair Public Works Department.
48. Prior to the final inspection by Building and Safety Department and/or issuance of a Final Approval by the LUSD / Current Planning Division, all fees required under Actual Cost Job Number 12050CF1 shall be paid in full.

End of TPM Conditions